

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellant	:	Paul S. Enfield)	Confirmation No.:	9260
)		
Serial No.	:	09/902,923)		
)	Examiner:	Elaine Gort
Filed	:	July 10, 2001)	Art Unit:	3687
)		
For	:	INFORMATION, DIRECTORY,)		
		LOCATION AND)		
		ORIENTATION SYSTEM FOR)	Date:	December 3, 2009
		RETAIL STORES AND THE)		
		LIKE)		

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF (37 CFR 41.37)

MAIL STOP APPEAL BRIEF – PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Appeal Brief (37 CFR 41.37) (hereinafter, “the Notice”) mailed on December 2, 2009, this paper is submitted for consideration along with the Appeal Brief filed on August 10, 2009 (hereinafter, “the Brief”).

Item no. 2 of the Notice indicates that the Brief failed to provide the status of all the claims filed in the application. Upon review of the application, the undersigned discovered that Section III of the Brief failed to indicate the canceled status of claim 9. In reply, Appellant hereby submits the following replacement Section III (with change shown in bold):

III. STATUS OF CLAIMS

Claims 17-27 stand finally rejected and are the subject of this appeal. Claims 1-4 **and 9** have been canceled, and claims 5-8 and 10-16 have been withdrawn from consideration by the examiner as being drawn to non-elected subject matter.

It is respectfully submitted that this paper fully addresses the defect in the section of the Brief pointed out in the Notice. Furthermore, Appellant requests reversal of the rejection of claims 17-27 under 35 U.S.C. § 103(a), for the reasons set forth in the Brief.

Respectfully submitted,

/John F. Guay, Reg. No. 47248/
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